

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION)	MDL 2804
OPIATE LITIGATION)	
)	Case No. 1:17-md-2804
THIS DOCUMENT RELATES TO:)	
)	Judge Dan Aaron Polster
<i>The City of Lorain v. Purdue</i>)	
<i>Pharma L.P., et al.,</i>)	<u>ORDER</u>
Case No. 1:17-op-45000)	
)	
<i>The City of Parma, v. Purdue</i>)	
<i>Pharma L.P., et al.,</i>)	
Case No. 1:17-op-45001)	
)	
<i>Richland County Children's Services v.</i>)	
<i>Purdue Pharma L.P., et al.,</i>)	
Case No. 1:17-op-45003)	
)	
<i>County of San Joaquin v. Purdue</i>)	
<i>Pharma L.P., et al.,</i>)	
Case No.1:17-op-45017)	
)	
<i>St. Clair County, Illinois v. Purdue</i>)	
<i>Pharma L.P., et al.,</i>)	
Case No.1:17-op-45048)	
)	
<i>Town of Chapmanville v. West Virginia</i>)	
<i>Board of Pharmacy, et al.,</i>)	
Case No.1:17-op-45055)	
)	
<i>The City of Williamson v. West Virginia</i>)	
<i>Board of Pharmacy, et al.,</i>)	
Case No.1:17-op-45057)	
)	
<i>Town of Kermit v. West Virginia</i>)	
<i>Board of Pharmacy, et al.,</i>)	
Case No.1:17-op-45058)	
)	
<i>Town of Gilbert v. West Virginia Board</i>)	
<i>Of Pharmacy, et al.,</i>)	
Case No.1:17-op-45059)	

)
The County Commission of Lincoln)
County v. West Virginia Board)
Of Pharmacy, et al.,)
Case No.1:17-op-45060)

)
The County Commission of Mercer County)
v. West Virginia Board of Pharmacy, et al.,)
Case No.1:17-op-45064)

)
City of Welch v. West Virginia Board)
Of Pharmacy, et al.,)
Case No.1:17-op-45065)

)
The County of Mora v. Purdue)
Pharma L.P., et al.,)
Case No.1:17-op-45080)

)
Scott County, Indiana v. Purdue)
Pharma L.P., et al.,)
Case No.1:17-op-45094)

)
The City of Seattle v. Purdue)
Pharma L.P., et al.,)
Case No. 1:18-op-45089)

)
The County of Pike v. Teva)
Pharmaceuticals USA, INC., et al.)
Case No. 1:18-op-45368)

)
The County of Floyd v. Purdue)
Pharma L.P., et al.,)
Case No. 1:18-op-45369)

)
The County of Knott v. Teva)
Pharmaceuticals USA, INC., et al.,)
Case No.1:18-op-45370)

)
County of Fulton v. Purdue)
Pharma L.P., et al.,)
Case No.1:18-op-45374)

)
County of Osceola v. Purdue)
Pharma L.P., et al.,)
Case No.1:18-op-45669)

There are approximately 300 cases in this MDL with pending motions to remand to state court. The Court has determined to address these remand motions in tranches, starting with the oldest filings. The above-captioned twenty cases have the oldest pending remand motions. The Court hereby ORDERS that in any of these cases where Defendants have not filed a response, they shall file a joint response within 14 days of the date of this Order. Plaintiffs shall have 14 days from the date of the filing of the response to file a reply. Failure of Defendants to file a response brief shall be construed as a consent to remand.

In any case where Defendants have previously filed a response, Defendants shall review their response and file a supplementary joint brief only if they intend to persist in arguing the Court has subject-matter jurisdiction to hear the case. Such supplementary filings shall also be made within 14 days of the date of this Order, and Plaintiffs shall have 14 days from the date of the filing of the supplementary response to file a reply. Failure to file a substantive supplementary brief shall be construed as a consent to remand.

The Court emphasizes that should any Defendant file either a supplementary or initial response that the Court deems frivolous, the Court shall impose significant monetary sanctions on both counsel and that Defendant.

IT IS SO ORDERED.

/s/ Dan Aaron Polster April 26, 2022
DAN AARON POLSTER
UNITED STATES DISTRICT JUDGE